

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION**

---

<b>THEODORE BELL,</b>	)	
	)	<b>No. 1:14-cv-121</b>
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>NOTICE OF REMOVAL</b>
	)	
<b>ARCHER DANIELS MIDLAND</b>	)	
<b>COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

---

Defendant, Archer Daniels Midland Company, by and through its undersigned counsel, hereby requests removal of the instant action from the Iowa District Court in and for Linn County to the United States District Court for the Northern District of Iowa, Cedar Rapids Division pursuant to 28 U.S.C. §1331 and §1441, and in support thereof as required by Local Rule 81 states as follows:

1. This action was commenced by Plaintiff against Defendant in the Iowa District Court in and for Linn County. Service of the Petition was obtained upon Defendant on October 16, 2014. The time has not elapsed within which Defendant is allowed to file this Notice of Removal.
2. The above-entitled action is a civil action asserting claims under the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*, and the Iowa Civil Rights Act of 1965.
3. This case is within the original jurisdiction of this Court and is predicated under U.S.C. Title 28, Section 1331, which pertains to civil actions arising under the laws of the United States, which may be removed pursuant to 28 U.S.C. § 1441(b).

4. This Court has supplemental jurisdiction over Plaintiff's state law claim under the Iowa Civil Rights Act of 1965, pursuant to 28 U.S.C. § 1367.

5. Attached hereto as Exhibit A are copies of all process, pleadings and orders served upon Defendant.<sup>1</sup> Attached hereto as Exhibit B is a Statement complying with Local Rule 81(a).

6. Written notice of this removal has been given to all adverse parties.

WHEREFORE, Defendant prays this Court take jurisdiction of this Notice of Removal and issue all necessary orders and process in order to remove the above-captioned case from the Iowa District Court in and for Linn County to the United States District Court for the Northern District of Iowa, Cedar Rapids Division.

SIMMONS PERRINE MOYER BERGMAN PLC

By: /s/ Kevin J. Visser  
Kevin J. Visser AT0008101  
Lisa A. Stephenson AT0007560  
115 Third Street SE, Suite 1200  
Cedar Rapids, IA 52401-1266  
Telephone: (319) 366-7641  
Facsimile: (319) 366-1917  
E-mail: kvisser@simmonsperrine.com  
lstephenson@simmonsperrine.com

ATTORNEYS FOR DEFENDANT

---

<sup>1</sup> Plaintiff served Defendant with a Notice of Intent to File Written Application for Default, on November 10, 2014. This Notice of Removal is filed within the time period permitted for Defendant's response to such Notice of Intent to file.

**CERTIFICATE OF SERVICE**

I hereby certify that on November 14, 2014, I filed the foregoing **NOTICE OF REMOVAL** with the Clerk of Court using the ECF system and/or sent a true and correct copy by United States Mail, postage prepaid to the following:

Thomas J. Currie  
Currie & Liabo Law Firm, P.L.C.  
1853 51<sup>st</sup> Street NE  
Suite 1  
Cedar Rapids, IA 52402

/s/ Kevin J. Visser